

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2013 JUN 25 P 3:18

UNITED STATES OF AMERICA

*

Criminal No. JKB-12-348

v.

*

JOHN McLAURIN

*

MEMORANDUM

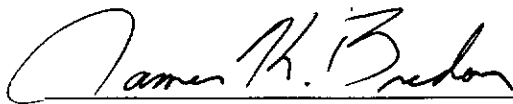
Defendant John McLaurin has filed a *pro se* motion for copy work at public expense requesting copies of his judgment and commitment, docket sheet, plea agreement, indictment, and sentencing transcripts. He states that he needs these copies "in order to exercise [his] Constitutional Rights to Post-Conviction Relief within the court system." ECF No. 176.

Filing a post-conviction motion to vacate, set aside or correct sentence is a precondition to an indigent petitioner requesting transcripts at court expense. *See United States v. MacCollom*, 426 U.S. 317, 321-22 (1979). Mr. McLaurin does not have a pending 28 U.S.C. § 2255 petition before this court and is therefore not entitled to transcripts at public expense.

Further, defendant is not entitled to obtain documents at government expense absent a showing of a particularized need. *See United States v. Shoaf*, 341 F.2d 832, 833-834 (4th Cir. 1964) (ruling there is no entitlement to free transcript merely for examination to determine whether to engage in litigation or to "comb the record in the hope of discovering some flaw"); *Bozeman v. United States*, 354 F. Supp. 1262 (E.D. Va. 1973) (holding federal prisoner must state claim of constitutional dimension which is neither frivolous on its face nor rendered moot under the law by other applicable doctrines, and must specify with clarity those portions of the proceedings questioned to permit an initial determination of relevance to be made by district

court). Upon review of the motion, it is clear that Mr. McLaurin does not demonstrate a particularized need for obtaining the documents at government expense. The motion will be denied. A separate order consistent with this memorandum follows.

June 25, 2013
Date


James K. Bredar
United States District Judge